

## Viewpoint

# Teaching dog owners new tricks

Dog controls without educational support could do more harm than good, says **Kendal Shepherd** – but, she suggests, there is a solution

RESPONSES to the Environment, Food and Rural Affairs Committee's call for evidence on the Dangerous Dogs Act Amendment Bill almost without exception note the absence of any educational and preventive measures in the proposals, with most respondents also calling for the introduction of Dog Control Notices, as have already been implemented in Scotland. However, as far as control notices are concerned, it is my experience that simply physically controlling a dog that has already demonstrated antisocial behaviour – by means of a muzzle and leash, for example, or with dog-proof barriers – is insufficient to ensure future safety. Without some form of educational intervention, the social frustration that such control entails, combined with inevitable human error, can result in just the kind of dog that the order was supposed to prevent – a dog whose behaviour deteriorates over time and has no chance to learn more socially appropriate ways to behave. In addition, physical control without consideration of the mental and emotional effects on the dog may well be inhumane and contrary to the animal's welfare. Such factors may be instrumental in owners failing to comply with a court-imposed order, if their pet appears to be distressed under its terms.

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A solution, which would include both educational and preventive elements, would be to use behaviour awareness courses for dog owners in much the same way as speed awareness courses are used for motorists.

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Speed awareness courses are devised as an educational intermediary between no action at all and prosecution for exceeding the speed limit. The rationale is that, although no other offence has been committed (such as reckless or dangerous driving), and no damage or injury has been caused, exceeding the speed limit is in itself deemed a risk factor in road traffic accidents and is therefore to be prevented. The workshops are offered at a cost akin to a fine for drivers who have exceeded the speed limit by a relatively small amount, as a means of providing education regarding speeding in all its aspects – why people do it; the injurious, tragic and costly results of road traffic accidents; the reasons why speeding is considered dangerous; and, ultimately, how to avoid speeding at all. The 'carrot' for successful attendance is the avoidance of prosecution and its punitive results, in the form of a fine and points on one's driving licence.

There are many similarities between speeding offences and dangerous dog incidents. Both are strict liability offences, in that, if a driver is caught exceeding the speed limit, or if a person is in charge of a dog that is deemed to have been dangerously out of control, a guilty plea is automatic. As presently legally defined, a dog simply causing apprehension of injury is sufficient for an offence to have been committed and there is no mitigation or excuse that can be brought to bear on the mandatory guilty

plea itself. However, in both cases, the severity of the offence (for example, how fast the car was going, whether any injury to another dog or person resulted from the dog's behaviour) and other exacerbating factors (such as a driver or owner being drunk or having taken drugs at the time) and previous similar misdemeanours are used to determine level of punishment under

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sentencing guidelines. In both cases, lack of awareness – of the dangers of speeding or the risks of a dog being under less than adequate control – contributes to the number of offences being committed under the relevant legislation. In both cases, most pertinently, the threat of punishment alone does not appear to be enough of deterrent to prevent offence.

The main difference between speeding and allowing a dog to be potentially dangerously out of control is the presence in every car of a speedometer, giving the driver information about how fast they are driving. This gives the driver the means to avoid offending, as long as the information from the speedometer is taken in combination with all environmental information, including traffic signs. In contrast, in the majority of 'dangerous dog' cases under Section 3 of the Dangerous Dogs Act that I have been involved with, the owner or handler of the dog at the time did not, and could not, predict what their dog was about to do. Behavioural tendencies, although readily recognisable by a qualified and skilled dog canine behaviourist as potentially contributing to danger, are not generally recognised as such by the average dog owner. As well as physical control, therefore, imparting information about the common risk factors for dog bite incidents